

(Rev. 12/07)

ER

CIVIL COVER SHEET

14.CV.6882

cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating a sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

SUSAN EBNER

(b) County of Residence of First Listed Plaintiff Philadelphia, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Kalikhman & Rayz, LLC 1051 County Line Road, Suite "A"
Huntingdon Valley, PA 19006 (215) 364-5030

DEFENDANTS

MERCHANTS & MEDICAL CREDIT CORPORATION, and
DOES 1 through 10, inclusive.

County of Residence of First Listed Defendant Flint, MI
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. §§ 1692 et seq.

Brief description of cause:
FDCPA Claim

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

12/3/14
FOR OFFICE USE ONLY

DEC - 4 2014

S.T.

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

ER

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

14 6882

Address of Plaintiff: C/O Kalikhman & Rayz, LLC 1051 County Line Road, Suite "A" Huntingdon Valley, PA 19006

Address of Defendant: 6324 Taylor Drive Flint, MI 48507-4685

Place of Accident, Incident or Transaction: Philadelphia County

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☐
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☐

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases

(Please specify) 15 U.S.C. § 1692 et seq.

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

- I, Eric Rayz, Esq., counsel of record do hereby certify:
- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☒ Relief other than monetary damages is sought.

DATE: 12/3/14

Attorney-at-Law

87976

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 12/3/14

Attorney-at-Law

87976

Attorney I.D.#

DEC - 4 2014

ER

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

EBNER

CIVIL ACTION

v.

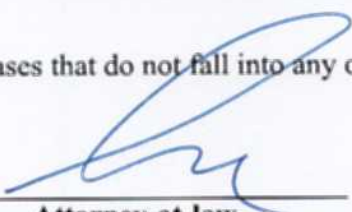
MERCHANTS & MEDICAL CREDIT CORP., et al.

NO. **14 6882**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) **(x)**
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

<u>12/3/14</u>		<u>Plaintiff</u>
Date	Attorney-at-law	Attorney for
<u>(215) 364-5030</u>	<u>(215) 364-5029</u>	<u>erayz@kalraylaw.com</u>
Telephone	FAX Number	E-Mail Address

(Civ. 660) 10/02

DEC - 4 2014

ER

\$400

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FILED

DEC 04 2014

SUSAN EBNER, individually and on behalf of
all others similarly situated

Class Action Complaint

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

PLAINTIFF(S)

v.

Civil Action No.

14 6882

MERCHANTS & MEDICAL CREDIT
CORPORATION; and DOES 1 through 10,
inclusive,

Jury Trial Demanded

DEFENDANT(S)

Plaintiff Susan Ebner ("Plaintiff") on behalf of herself individually, and on behalf of all others similarly situated, alleges as follows:

I. INTRODUCTION

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act (hereinafter "FDCPA"), 15 U.S.C. § 1692 et seq.

2. In effectuating the FDCPA, Congress sought to limit the tactics a debt collector could use. Despite these plain truths, Defendant (defined herein) used inappropriate tactics to collect Plaintiff's debt.

3. Upon information and belief, Defendant used these very same tactics across the country against hundreds, if not thousands, of individuals who, fall within the ambit of the protections of the FDCPA.

4. Absent this action, Defendant's inappropriate tactics would continue unabated.

II. THE PARTIES

5. Plaintiff is an adult individual citizen of the Commonwealth of Pennsylvania.

Plaintiff resides in Philadelphia County.

6. Plaintiff is a “consumer,” as that term is defined and/or contemplated within the scope of FDCPA.

7. Defendant MERCHANTS & MEDICAL CREDIT CORPORATION (hereinafter “Defendant”) is a business entity that regularly conducts business in the Eastern District of Pennsylvania, and is engaged in the business of debt collection within the Commonwealth of Pennsylvania.

8. Indeed, on its own website, <http://www.mermed.com/>, Defendant asserts that it “serves the **collection needs** of nearly every type of creditor, from healthcare providers and government entities to commercial creditors, banks and retail organizations.” See <http://www.mermed.com/index.php/company/serviceessub>, last visited on October 22, 2014 (emphasis supplied).

9. Upon information and belief, Defendant is organized under the laws of the State of Michigan and maintains its principal place of business address at 6324 Taylor Drive Flint, MI 48507-4685.

10. Plaintiff is unaware of the names and capacities of those defendants sued as DOES 1 through 10, but will seek leave to amend this complaint once their identities become known to Plaintiff. Upon information and belief, Plaintiff alleges that at all relevant times each defendant, including the DOE defendants 1 through 10, was the officer, director, employee, agent, representative, alter ego, or co-conspirator of each of the other defendants, and in engaging in the conduct alleged herein was in the course and scope of and in furtherance of such relationship.

11. Unless otherwise specified, Plaintiff will refer to all defendants collectively as

“Defendant” and each allegation pertains to each Defendant.

12. Defendant is a “debt collector,” as that term is defined and/or contemplated within the scope of FDCPA, and operates its debt collection enterprise from the same address.

13. Defendant uses instrumentalities of interstate commerce and mail in a business, whose principal purpose is collection of debts and/or regularly collects (or attempts to collect), directly or indirectly, debts owed or due or asserted to be owed or due another.

14. At all times material hereto, Defendant acted and/or failed to act in person and/or through duly authorized agents, servants, workmen, and/or employees, acting within the scope and course of their authority and/or employment for and/or on behalf of Defendant.

III. JURISDICTION AND VENUE

15. This Honorable Court has jurisdiction pursuant to 15 U.S.C. § 1692k and 28 U.S.C. § 1337.

16. The Eastern District of Pennsylvania is the proper venue for this litigation, because:

- a. Plaintiff is a resident of the Eastern District of Pennsylvania and Defendant’s wrongful conduct was directed to and was undertaken within the territory of the Eastern District of Pennsylvania; and
- b. Defendant conducts a substantial portion of its business in the Eastern District of Pennsylvania.

IV. STATEMENT OF CLAIMS

A. BACKGROUND

17. In June of 2014, Defendant sent Plaintiff a letter, dated June 6, 2014, regarding Plaintiff’s alleged debt of \$908.51, referenced by Defendant’s “ACCOUNT NUMBER

7153943." A true and correct copy of the letter is marked and attached hereto as Exhibit "A."

18. The debt at issue was incurred by Plaintiff on her personal Kohl's Department Store credit card.

19. The letter is a pre-printed form, designated by the sequence "7153943" that appears directly above Plaintiff's name in the bottom third of the document. Exhibit "A."

20. The letter was sent in a "glassine window" envelope and the sequence "7153943" was clearly visible through this window. Exhibit "A."

21. The letter disclosed that "ACCOUNT NUMBER 7153943" was the account number Defendant assigned to Plaintiff, which was used to identify Plaintiff in connection with Defendant's collection efforts. Exhibit "A."

22. The sequence "7153943" constitutes personal identifying information.

23. Defendant disclosed the sequence "7153943" on the face of the envelope Defendant used for letters sent to Plaintiff.

24. In July of 2014, Defendant sent Plaintiff another letter, dated July 11, 2014, regarding Plaintiff's alleged debt of \$908.51, referenced by Defendant's "ACCOUNT NUMBER 7249642." A true and correct copy of the letter is marked and attached hereto as Exhibit "B."

25. The letter is a pre-printed form, designated by the sequence "7249642" that appears directly above Plaintiff's name in the bottom third of the document. Exhibit "B."

26. The letter was sent in a "glassine window" envelope and the sequence "7249642" was clearly visible through this window. Exhibit "B."

27. The letter disclosed that "ACCOUNT NUMBER 7249642" was the account number Defendant assigned to Plaintiff, which was used to identify Plaintiff in connection with Defendant's collection efforts. Exhibit "B."

28. The sequence “7249642” constitutes personal identifying information.

29. Defendant disclosed the sequence “7249642” on the face of the envelope Defendant used for letters sent to Plaintiff.

30. Section 1692(f)(8) of the FDCPA specifically prohibits “[u]sing any language or symbol, other than the debt collector’s address, on any envelope when communicating with a consumer.”

31. The disclosure of Plaintiff’s “ACCOUNT NUMBER” on the face of the envelope violated Section 1692(f)(8). See Douglass, et al. v. Convergent Outsourcing, 765 F.3d 299 (3rd Cir. 2014).

32. As described herein, Defendant’s actions violated the applicable provisions of the FDCPA.

33. Defendant’s conduct, as alleged herein, is (and was) deliberate, intentional, reckless, willful, and wanton.

34. Defendant’s conduct, as alleged herein, is unfair, misleading, deceptive, and unconscionable.

35. Plaintiff and the Class he seeks to represent have been (and will continue to be) harmed due to Defendant’s conduct, as set forth herein.

36. Plaintiff and the Class he seeks to represent have suffered and will continue to suffer damages due to Defendants’ conduct, as set forth herein.

CLASS ACTION ALLEGATIONS

37. Plaintiff brings this action on behalf of himself and a class of similarly-situated individuals pursuant to Fed.R.Civ.P. 23, defined as follows: all natural persons in the United States who were sent a letter from Defendant with an “ACCOUNT NUMBER” visible on the

face of the envelope, during the statutory period covered by this Complaint.

38. The number of individuals in the Class is so numerous that joinder of all members is impracticable. The exact number of members of in the Class can be determined by reviewing Defendant's records. Plaintiff is informed and believes and thereon alleges that there are over a hundred individuals in the defined Class.

39. Plaintiff will fairly and adequately protect the interests of the Class, and has retained counsel that is experienced and competent in class action and employment litigation. Plaintiff has no interests that are contrary to, or in conflict with, members of the Class.

40. A class action suit, such as the instant one, is superior to other available means for fair and efficient adjudication of this lawsuit. The damages suffered by individual members of the Class may be relatively small when compared to the expense and burden of litigation, making it virtually impossible for members of the Class to individually seek redress for the wrongs done to them.

41. A class action is, therefore, superior to other available methods for the fair and efficient adjudication of the controversy. Further, absent these actions, members of the Class likely will not obtain redress of their injuries, and Defendant will retain the proceeds of their violations of the FDCPA. In addition, Defendant is likely to continue to violate this statute.

42. Furthermore, even if any member of the Class could afford individual litigation against Defendant, it would be unduly burdensome to the judicial system. Concentrating this litigation in one forum will promote judicial economy and parity among the claims of individual members of the Class and provide for judicial consistency.

43. There is a well-defined community of interest in the questions of law and fact affecting the Class as a whole. The questions of law and fact common to the Class predominate

over any questions affecting solely individual members of the action. Among the common questions of law and fact are:

- a. Whether Defendant disclosed debtor's "ACCOUNT NUMBER" on the face of the mailing envelope;
- b. Whether Defendant violated 15 U.S.C. § 1692f; and
- c. Whether Plaintiff and the members of the Class have sustained damages and, if so, the proper measure of damages.

44. Plaintiff's claims are typical of the claims of members of the Class. Plaintiff and members of the Class have sustained damages arising out the same wrongful and uniform practices of Defendant.

45. Plaintiff knows of no difficulty that will be encountered in the management of this litigation that would preclude its continued maintenance.

COUNT I FDCPA

46. Plaintiff hereby incorporates all facts and allegations of this document by reference, as if fully set forth at length herein.

47. Defendant is a "debt collector" as that term is defined under the FDCPA.

48. As described herein, the actions of the Defendant violates the applicable provisions of the FDCPA.

49. Defendant's violations with respect to its collection efforts, include but are not limited to, using language or symbols, other than the debt collector's address, on envelopes when communicating with a consumer, in violation of 15 U.S.C. § 1692f(8).

50. As a result of Defendant's violations of the FDCPA, Plaintiff and the members of the Class have suffered damages in an amount to be determined at trial.

V. CLAIM FOR RELIEF

WHEREFORE, Plaintiff respectfully prays for:

- (a) A Declaration that Defendant has violated the applicable provisions of the FDCPA;
- (b) An Order designating this action as a class action pursuant to Fed.R.Civ.P. 23;
- (c) An Order appointing Plaintiff and her counsel to represent the Class(es);
- (d) An Order enjoining Defendant from any further violations of the FDCPA;
- (e) Actual damages;
- (f) Statutory damages;
- (g) Attorneys' fees and costs; and
- (h) Such other relief as the Honorable Court shall deem just and appropriate.

VI. DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury as to all issues so triable.

(SIGNATURE ON THE NEXT PAGE)

Date: December 3, 2014

Respectfully submitted,
KALIKHMAN & RAYZ, LLC



Arkady "Eric" Rayz
Demetri A. Braynin
1051 County Line Road, Suite "A"
Huntingdon Valley, PA 19006
Telephone: (215) 364-5030
Facsimile: (215) 364-5029
E-mail: erayz@kalraylaw.com
E-mail: dbraynin@kalraylaw.com

CONNOLLY WELLS & GRAY, LLP

Gerald D. Wells, III
Robert J. Gray
2200 Renaissance Blvd., Suite 308
King of Prussia, PA 19406
Telephone: (610) 822-3700
Facsimile: (610) 822-3800
Email: gwells@cwg-law.com
Email: rgray@cwg-law.com

Counsel for Plaintiff(s) and the Proposed
Class(es)

EXHIBIT “A”



6324 Taylor Drive, Flint, Michigan 48507-4685
 Local (810) 244-4249 Toll-Free (800) 378-0120
 Hours: 8:15 a.m. - 9:00 p.m. M-TH 8:15 a.m. - 5:30 p.m. FRI 8:15
 a.m. - 12:30 p.m. SAT Eastern Standard Time

NOTICE OF AMOUNT DUE

STATEMENT DATE: June 6 2014
 ACCOUNT NUMBER: [REDACTED]

AMOUNT DUE: **\$908.51**

CREDITOR: CAPITAL ONE, N.A.

RE: KOHL'S DEPARTMENT STORES, INC.
 *****4952

Dear SUSAN K EBNER

This account has been placed with our office for collection and calls for payment in full. Please contact us so we may assist you in this matter.

If you wish to pay by Visa or MasterCard, complete the credit card information on the reverse side of this letter, tear off and return in the enclosed envelope. If you carry any insurance that may cover this obligation, fill out the information on the reverse side and return the entire form in the enclosed envelope.

To pay your account online, go to www.mermed.net and create a new account. Your access code is 1.6640444.459.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume the debt is valid. If the consumer notifies the debt collector or collection agency in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector or collection agency will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector or collection agency. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Debbie Brady, Ext. 433

This is an attempt to collect a debt and any information obtained will be used for that purpose. This communication is from a debt collector.

96-ONMERC01-14-1/06/10

*** Detach Lower Portion And Return With Payment ***

Y1662B4ED4



PO Box 505
 Linden MI 48451-0505
 ADDRESS SERVICE REQUESTED

Inside Michigan (810) 244-4249
 Outside Michigan (800) 378-0120
 Business Hours - Eastern Standard Time
 Mon - Thu 8:15 A.M. - 9:00 P.M.
 Friday 8:15 A.M. - 5:30 P.M.
 Saturday 8:15 A.M. - 12:30 P.M.

Account #: [REDACTED]
 Amount Due: \$908.51



0008120024012697319318128290817-1YA1-Y1662B4ED4 96

SUSAN K EBNER
 [REDACTED]



Merchants & Medical
 Credit Corporation
 6324 Taylor Drive
 Flint MI 48507-4685

HCF

Phone number to call for verification of information () _____

EXHIBIT “B”



6324 Taylor Drive, Flint, Michigan 48507-4685
 Local (810) 244-4249 Toll-Free (800) 378-0120
 Hours: 8:15 a.m. - 9:00 p.m. M-TH 8:15 a.m. - 5:30 p.m. FRI 8:15
 a.m. - 12:30 p.m. SAT Eastern Standard Time

NOTICE OF AMOUNT DUE

STATEMENT DATE: July 11, 2014
 ACCOUNT NUMBER: [REDACTED]

AMOUNT DUE: **\$908.51**

CREDITOR: CAPITAL ONE, N.A.

RE: KOHL'S DEPARTMENT STORES, INC.
 *****4952

Dear SUSAN K EBNER

This account has been placed with our office for collection and calls for payment in full. Please contact us so we may assist you in this matter.

If you wish to pay by Visa or MasterCard, complete the credit card information on the reverse side of this letter, tear off and return in the enclosed envelope. If you carry any insurance that may cover this obligation, fill out the information on the reverse side and return the entire form in the enclosed envelope.

To pay your account online, go to www.mermed.net and create a new account. Your access code is 1.6640444.459.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume the debt is valid. If the consumer notifies the debt collector or collection agency in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector or collection agency will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector or collection agency. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Debbie Brady, Ext. 433

This is an attempt to collect a debt and any information obtained will be used for that purpose. This communication is from a debt collector.

79-ONMERC01-14-1/06/10

*** Detach Lower Portion And Return With Payment ***

Y169E3D2E3



PO Box 505
 Linden MI 48451-0505
 ADDRESS SERVICE REQUESTED

Inside Michigan (810) 244-4249
 Outside Michigan (800) 378-0120
 Business Hours - Eastern Standard Time
 Mon - Thu 8:15 A.M. - 9:00 P.M.
 Friday 8:15 A.M. - 5:30 P.M.
 Saturday 8:15 A.M. - 12:30 P.M.

Account # [REDACTED]
 Amount Due: \$908.51



0008120024013063452319128290617-FYA1-Y169E3D2E3 79


SUSAN K EBNER
 [REDACTED]
 [REDACTED]




Merchants & Medical
 Credit Corporation
 6324 Taylor Drive
 Flint MI 48507-4685

CLAIM MAILING ADDRESS	CERTIFICATION AUTHORIZATION NO. IF REQUIRED
-----------------------	---

▼ MEDICARE

Health			Insurance	
SOCIAL SECURITY ACT				
NAME OF BENEFICIARY _____				
CLAIM NUMBER _____		SEX _____		
IS ENTITLED TO _____		EFFECTIVE DATE _____		
SIGN HERE _____				

▼ MEDICAID

DEPARTMENT OF SOCIAL SERVICES MEDICAL ASSISTANCE AUTHORIZATION					Eligible Period					
Recipient ID No.	Eligible Person	Birth Date	CI		Prog.	Co.	Dist.	Unit	Wkr.	Case Number
					Scope of Coverage		Patient Pay Amount		Level of Care	

▼ **COMMENTS** (Please update current address, phone number, social security number, place of employment, spouse's name, etc.)

▼ FOR CREDIT CARD PAYMENTS, COMPLETE AND RETURN PORTION BELOW ▼

PAYMENT IN FULL REQUESTED
MASTERCARD AND VISA ACCEPTED

If you wish to make your payment via credit card, please complete the information below and return in the enclosed envelope.

Account Number																Payment Amount	Expiration Date
															\$	/	
			On Back Of Card														



Phone number to call for verification of information () _____